Miss Anna Holden
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2/4/55

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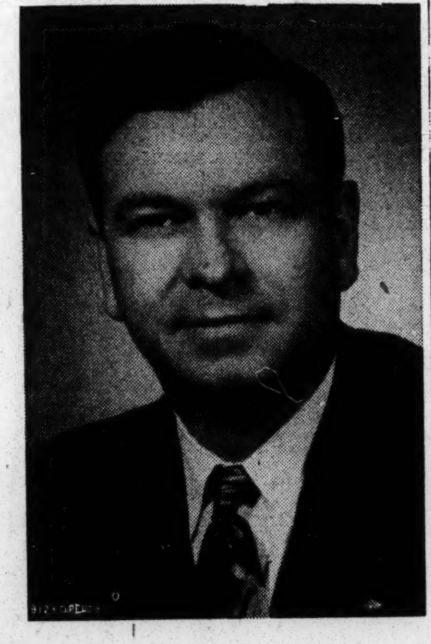
The Statesman

A Recorder of Georgia Governmental Affairs—Municipal, County and State

Published
in the Interest
of
ALL the People

6 1 HAPEVILLE, GA., THURSDAY, APRIL 21, 1955 Copy 5c

Herman Talmadge Says:



Justices of the United States Supreme Court got a liberal education in practical human relations last week—a factor which they completely ignored when they chose to accept sociological theories as the basis for their decision of last May 17th that segregation in the public schools of this nation is unconstitutional.

It was obvious to any person reading between the lines of press dispatches about the desegregation implementation arguments that the men who comprise our nation's highest tribunal exhibited obvious discomfort as they heard one Southern attorney after the other warn them of the dire consequences which would result from any order requiring integration of the races in the classrooms of the region. For the first time publicly since they handed down their psycho-sociological decision the enormity of the task they had cut out for themselves and the federal government seemed to dawn upon them.

"Won't Work Here" Legal representatives for South Carolina and Virginia stated flatly that their states would not even attempt to comply with a forthwith decree. When Chief Justice Warren asked S. E. Rogers, who represented Clarendon County in the proceedings, if an "honest attempt" would be made to comply with the Court's decree, he stood up and declared:

"Let's get that word 'honest' out of there. It would depend upon the kind of decree. The white people would not send their children to school with negroes."

GEORGIANS WON'T ACCEPT MIXED SCHOOLS, COOK WRITES EDITOR

Bricker Amendment Must Be Passed

Current advice from Washington is that hearings on the Bricker Amendment will begin next Wednesday, April 27th.

These hearings will be conducted in the Senate Office Building, Washington, D. C., by the Sub-Committee on Constitutional Amendments of the Senate Judiciary Committee. Senator Estes Kefauver is Chairman of the Sub-Committee—the other members being Senators Thomas Hennings, Jr., Price Daniel, William Langer and Everett McKinley Dirksen. (In addition to the foregoing the Senate Judiciary Committee consists of: Senators Harley M. Kilgore, James O. Eastland, Olin D. Johnston, John L. McClellan, Joseph C. O'Mahoney, Alexander Wiley, William E. Jenner, Arthur V. Watkins, Herman Welker and John Marshall Butler.)

It is necessary that all organizations and all individuals who support the Amendment, either by letter or wire to Senators, or by personal appearance before the Committee make their voices heard. Those who care to appear before the Committee personally should address a request to Senator Estes Kefauver as Chairman of the Sub-Committee, Senate Office Building, Washington 25, D. C.

Opposing organizations and individuals will, doubtless, be immediately active, and it is highly important that the Committee and the members of the Senate generally do not get the impression that this minority represents the general thinking of the country.

Attorney General Refuses To Appear At Integration Hearings Of Supreme Court

Makes Position Clear In Reply To Editorial Published By Savannah Morning News Recently

Because Georgia refused to participate in desegregation implementation arguments before the U. S. Supreme Court last week, the State "stands well to circumvent the Court's decision within the framework of both the Federal and State Constitutions without having committed itself either morally or legally," Attorney General Eugene Cook declared this week.

Furthermore, Mr. Cook said, he, as Attorney General, is "free to carry out the mandates of the Legislature and the people through the orderly processes of defending the State constitutional provisions and statutes designed to accomplish this purpose."

The Attorney General set forth his reasons for declining the Court's invitation to appear in a letter to W. J. Robertson, editor of the Savannah Morning News.

"The purpose of the invitation was to bring before the Court in an official manner all Attorneys General representing States in which the impact of the decision gest that we would be privileged to even question that decision. To appear as a friend of the Court in a case of this kind with a brief in criticism of the decision and a prayer for reconsideration, modification or reversal would have been inappropriate and not even reviewed by the Court.

"The purpose of the invitation was to bring before the Court in an official manner all Attorneys General representing States in which the impact of the decision may be felt. In doing this, the Court very shrewdly obligated the Attorneys General who are now before it on that invitation to become a party

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"Won't Work Here"

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"Let's get that word 'honest' out of there. It would depend upon the kind of decree. The white people would not send their children to school with negroes."

Attorney General J. Lindsay Almond, Jr., of Virginia said the Court's decision had "raised over most of the Virginia scene the spectre of impending chaos" and that if any attempt is made to enforce it forthwith "schools might have to close." Archibald O. Robertson, another of Virginia's attorneys, told the Court that there are "subtle ways" by which a state could by-pass compliance, like "people refusing to vote funds for mixed schools."

Attorney General Richard W. Erwin of Florida said enforcement of desegregation "might well cause a tornado which would devastate the entire school system" and Attorney General Harry McMullen of North Carolina warned that "any attempt to compel the inter-mixture of the races in the public schools of North Carolina would result in such violent opposition as to endanger the continued existence of the schools."

May End Public Schools

Mr. McMullen's assistant, Beverly Lake, stated in reply to a question from Justice Harlan that a forthwith decree might force North Carolina to abolish her public school system and declared that enforced desegregation would mean "race hatred and bitterness unparalleled since the days of the Ku Klux Klan." North Carolina's brief filed with the Court predicted "bloody race riots" in the wake of any integregation decree.

Even the spokesman for the federal government seemed to sense the super-charged atmosphere which has developed in the South following the Court's action in overturning all legal precedent and ignoring constitutional restrictions of federal authority through its decision outlawing segregation. While a year ago the U. S. Department of Justice was calling for immediate integration, U. S. Solicitor General Simon E. Sobeloff told the Court last week that it should use "moderation with firmness" in dealing with the problem, whatever that means. He told the Justices they could not set themselves up as a "super school board" and should allow the district courts to handle the problem.

Passive Attitude

Up until the arguments of last week it was obvious that the Justices of the Supreme Court believed that people of the South would take this decision lying down. That belief was prompted by the fact that some of our leading daily newspapers in the South either have been silent on this grave issue or actually have invited the tyranny the court now seeks to force upon us. It is regrettable also that a few selfish politicians who are played up as "Southern leaders" and "spokesmen" outside the South have shared this attitude by placing personal ambition ahead of the welfare and best interests of the children of our region.

The Supreme Court has gotten itself out on a limb. In attempting to scrap the system of checks and balances written into our Constitution by our founding fathers, the Justices skated out onto the thin ice of tyranny which has broken under men far more powerful than themselves when indignant citizens aroused themselves in defense of their inalienable rights.

No Authority

The Supreme Court and the federal government have no constitutional authority or jurisdiction over the public schools of the states. The states created the schools and they finance them and, if the federal government seeks to usurp the authority to operate them in a manner contrary to the wishes and best interests of the people who established them, it not only must pay the bill but also must bear the responsibility for whatever disorder results.

It seems to me that the Court could best get off the breaking limb upon which it finds itself by simply stating that it has no powers of enforcement of its decision and leave so-called implementation to the Congress and the state legislatures.

The elected representatives of the people can be depended upon to see that the rights of the states and their individual citizens are not abrogated.

Herman E. Talmadge

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Now is the time for all of us to become outspoken again.

Plans Completed For Butler Visit

ATLANTA, Ga.—(GPS)—The stage is set for the State Democratic Executive Committee's reception and dinner in Atlanta Tuesday evening, April 26, according to State Democratic Chairman John Sammons Bell.

This will be the first meeting of the committee since its selection by the Macon Democratic convention of Sept. 30, 1954, and is timed to coincide with Democratic National Committee Chairman Paul Butler's four-day visit to Georgia.

Both Butler and Gov. Marvin Griffin, as honor guests, will address the gathering, which Chairman Bell emphasizes is not a fund-raising affair. The Governor and Bell will present certificates of membership to the state committee members.

Special invitations have been sent to all of Georgia's former chief executives, who are Herman Talmadge, M. E. Thompson, Ellis Arnall and E. D. Rivers, and all former State Democratic chairmen, who are James S. Peters, Lon Duckworth, James L. Gillis and Hugh Howell, Sr.

Both the reception, which will be from 5:30 to 6:30 p. m., and the $5-a-plate dinner, starting at 7 p. m., will be at the Dinkler Plaza Hotel.

Butler, a 49-year-old South Bend, (Ind.) attorney, who was elected national chairman in New Orleans last Dec. 4, also will address the annual convention of the Association County Commissioners of Georgia in Augusta, as will Gov. Griffin. Both speeches are scheduled for Monday, April 25.

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Furthermore, Mr. Cook said, he, as Attorney General, is "free to carry out the mandates of the Legislature and the people through the orderly processes of defending the State constitutional provisions and statutes designed to accomplish this purpose."

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"The purpose of the invitation was to bring before the Court in an official manner all Attorneys General representing States in which the impact of the decision may be felt," he wrote.

"In doing this, the Court very shrewdly obligated the Attorneys General who are now before it on that invitation to become a party to the formulation of the enforcement decree or decrees and, therefore, honor bound to insist that the citizens of their respective States comply with such decree or decrees. This I could not do under the circumstances when I know that the people of Georgia will not abide by the Court's conclusions on the question of enforcement."

The text of Mr. Cook's letter outlining his reasons follows:

"Please know that I have never questioned the sincerity of anyone who is of the opinion that I should have made an official appearance at the implementation arguments now under way in the Supreme Court.

"Many good reasons have been given indicating that it might have been wise for me to make an appearance. On the other hand, I am still of the personal opinion that my decision will eventually prove to be right.

"As you know, the decision of the Court of May 17, 1954, holding that segregation of the races in public schools violated the 14th Amendment to the Constitution, was unanimous and no effort on the part of anyone singly or together could possibly obtain a reversal or modification. In fact, the invitation of the Court did not suggest that we would be privileged to even question that decision. To appear as a friend of the Court in a case of this kind with a brief in criticism of the decision and a prayer for reconsideration, modification or reversal would have been inappropriate and not even reviewed by the Court.

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"This I could not do under the circumstances, when I know that the people of Georgia will not abide by the Court's conclusions on the question of enforcement.

"In fact, when I made my original decision, which was concurred in by Governor Talmadge, the Governors of South Carolina, Mississippi, Alabama and Louisiana, I was firmly convinced that the people would by-pass whatever enforcement decree or decrees the Court might write and that they could do so within the framework of the Federal and State Constitutions. Subsequent acts by the people and the legislature in amending the Constitution and the enactment of circumvention measures by the legislature have confirmed this conclusion of mine.

"In view of the present posture of the issue, Georgia is not committed, either morally or legally, to submit.

"Incidentally, press reports reflect that the Chief Justice has asked each of the Attorneys General representing the Southern States the question of whether an honest effort will be made by these States to comply with whatever decree or decrees they formulate. Had I been before the Court, my answer would have necessarily been "no," to which answer the Court may well have found me in contempt and foreclosed any further comments and observations as far as Georgia is concerned.

"Another reason which I failed to point out in my letter to you is one I have saved for future use, but will give it to you now. Under the Federal Constitution an amendment to that document becomes law of the land instanter, unless implemented by Congress. The Court has no authority to implement an amendment to the Federal Constitution. Its sole prerogative is that of interpretation. The May 17, 1954 decision construed the 14th Amendment and the question of

(Continued on Page 4)

Talmadge TV Show

Hon. Eugene Cook, the Attorney General of the State of Georgia, Hon. Freeman Leverett and Hon. Bob Hall, Assistant Attorneys General, will be the guests of Herman Talmadge on his regular TV show next Monday evening, April 25, at 10:00 P. M. Mr. Cook and his two associates have been attending the Supreme Court hearings in Washington and will discuss their observations.

Mr. Talmadge's program can be seen every Monday evening over WAGA-TV, Channel 5, Atlanta, from 10:00 -- 10:30 P. M.

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EUGENE TALMADGE........Associate Editor
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HERMAN E. TALMADGE..............Associate Editor

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New Pulp Plants For Georgia Top $100 Million In '54

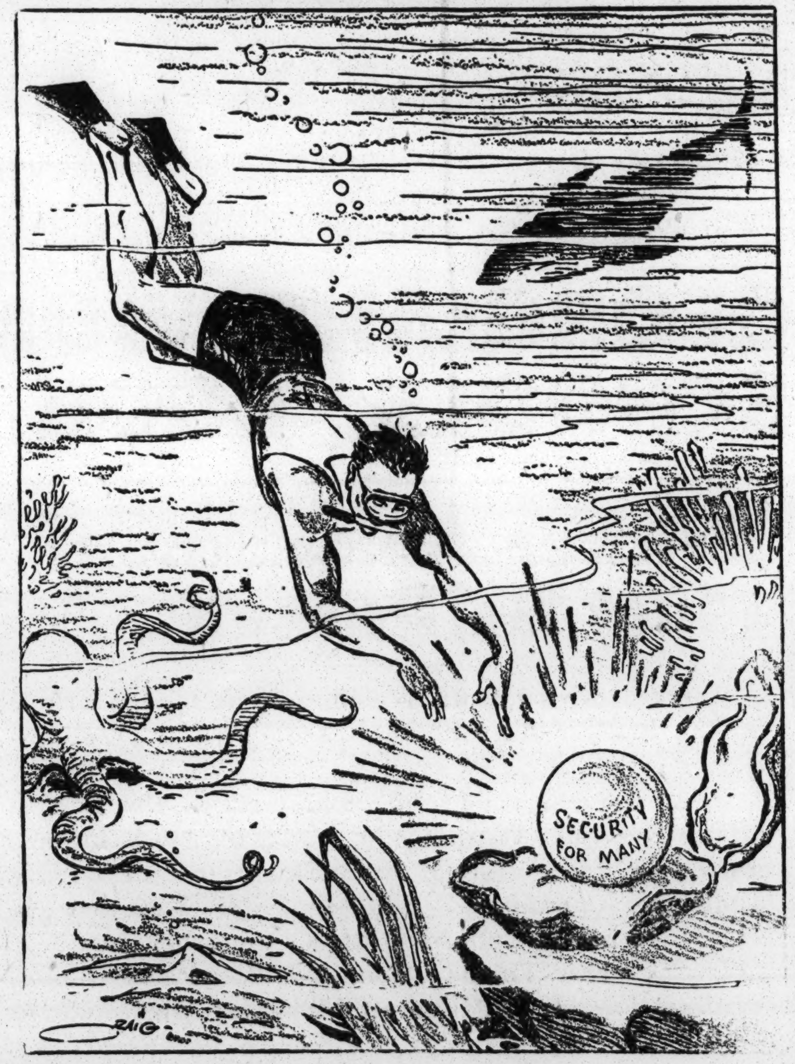
"Georgia, with more than 100 plants and some 15,000 workers in the industry, leads the South in pulpwood production," according to a report in a recent issue of Manufacturers' Record.

The publication said $100,000,000 was invested in three new plants in Georgia in 1954 and listed them as the Rome Kraft Corp. at Rome, Rayonier, Inc., at Jesup and National Container Corp. at Valdosta.

"The Rome mill has an annual production capacity of more than 200,000 tons of kraft container board, and employs about 700 workers. Its pulpwood needs furnish employment for more than 1,000 persons in northeast Georgia and nearby areas," the article elaborated.

"National Container Corporation has a capacity of 500

SOMEBODY MUST RISK!



Security, and Risk-takers . . .

Security comes in a good many different forms, most of them desirable. There's an odd thing about security, though. It is the product of risk—yet risk is the opposite of security.

In searching for security, don't go to people who are looking for the same thing. Go to those who are risk-takers, not security-seekers. And this applies regardless of what kind of security we hope to find.

To start every business, people had to put their resources on the line—their ideas, energy, time and money. There is never a "sure thing." Government looks to risk-taking private enterprises and the income they create for most of its funds.

We may not be conscious of it, but wherever we seek personal or economic security, we expect it to be provided by people who are

He Speaks for Georgia

From—THE JACKSON HERALD

While governor, we know him as one of Georgia's most outstanding administrators whose term of office made Georgia a leader in Southern progress, Herman Talmadge is now out of public office, but very much in the public eye. It seems the demands on his time are as much as ever.

Daily we hear of Talmadge and the speeches he is making. Eeach one is a boost for Georgia. We have heard comments of praise for the former governor from Canada to Florida. He is praised for his outspoken manner, quick thinking mind and his leadership. It's the kind of leadership this country needs today.

Most people are impressed with Herman because he talks to them, and not over them. His statements are direct, statistic, correct, and he tells his audiences what they need and want to know. He is a champion of government for the people—and, the people are looking for this in place of politic playing, investigating Washington.

While Talmadge has made a remarkable public record, we believe his career is just beginning. His presence is needed as representative of Georgia in the nation's capital, and we believe that his people will see to it that he is put there.

Too Much Rewriting To Please Cliques

From—HENDERSON (S. C.) INDEPENDENT

A music textbook entitled **Together We Sing,** proposed for adoption in Georgia schools, has been turned down by the Georgia State Board of Education.

The book contains several of Stephen Foster's songs. Foster's works have long been popular in Georgia and elsewhere in the South and there was no objection to Foster's songs.

The objection was to some of the editing. Words, it seems, have been taken from Foster's mouth by the publishers and new words inserted therein.

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"The Rome mill has an annual production capacity of more than 200,000 tons of kraft container board, and employs about 700 workers. Its pulpwood needs furnish employment for more than 1,000 persons in northeast Georgia and nearby areas," the article elaborated.

"National Container Corporation has a capacity of 500 tons of finished board per day, and employs about 450 persons. A similar number is employed at Rayonier, which has an annual capacity of 87,000 tons and produces purified wood cellulose for use in making cellophane, high tenacity rayon yarn, continuous filament yarns, staple fibre, plastics and acetate sheeting and film."

The pulp and paperboard industry, according to the magazine, is "steadily increasing its already vast economic importance to the Southern states, by both direct and indirect influence.

"Many millions of dollars have been invested, especially during the past two decades, in wood pulp producing and processing plants in these states. The industry's growth was stimulated by the steady increase in the nation's population, its consuming power, and the expansion of the nation's whole industrial enterprise.

"Now, at the beginning of 1955, the pulp and paperboard industry in the South is experiencing a boom. Financial analysts are pointing to the strong position occupied by capital shares of the industry's corporate components.

"The more American industrial production that is shipped, the more is the need for paperboard packaging. The greater the diversity of a new high total of American consumer requirements, the greater are the opportunities for devising and merchandising pulp and paperboard products.

"The ingenious chemical industry has through recent years served the pulp and paper industry well, coming up with some remarkably effective new processes. Thereby the horizons of pulp and paperboard production were extended. Particularly, the chemists made it possible for tree processing plants to work with equal effectiveness with either softwoods or hardwoods, although utilizing essentially different processes.

"Incidentally, though, not all the paperboard products desired from processed tree pulp are utilized in the manufacture of heavy board. The nation's producers of fine tissues are experiencing a boom also, in demand for their products. Even the men now are using paper handkerchiefs (tissues) in great volume.

"Still another major factor in the South's economy that is being strongly stimulated by the aggressiveness of the pulp industry is "tree farming." Many thousands of otherwise useless acres of exhausted farm lands are being planted to trees—millions of seedlings annually—with a relatively high and practically assured long term profit to the landowners. Significant, too, of the value of tree farming is the high interest shown by the hydro-electric power producing companies of the South. The power companies have planted extensively in the areas owned by them, which surround the hydro-electric plants' reservoirs.

"All observers of the South's economic trends and tribulations were impressed last year by the difficulties created from California to Virginia by the persistent drought. In previous years, the southern landowners and leaders in agricultural conservation had given much emphasis to water conservation. Now, more than ever, conservationists are emphasizing the need for much greater conservation of water—to meet not only human needs and agricultural needs but also the vast requirements of various manufacturing and processing industries.

"So it is working out throughout the South that the pulp and paper industry is giving effective and timely new stimulation to water conservation. New industries are coming in. Old industries are expanding. Production is rising, and so are wages. That is the picture in the paper and allied products industry in the 16-state South."

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To start every business, people had to put their resources on the line—their ideas, energy, time and money. There is never a "sure thing." Government looks to risk-taking private enterprises and the income they create for most of its funds.

We may not be conscious of it, but wherever we seek personal or economic security, we expect it to be provided by people who are willing to take risks—and they seldom let us down.

Stop This Glorified W. P. A. Trend

From—THE ATLANTA (Ga.) METROPOLITAN HERALD

The Point Four program of the U. S. State Department was originally formulated to render technical assistance to backward nations in the belief that such assistance would be of much more value than the giving of hundreds of millions of dollars in taxpayers' money to these nations.

This was a sound plan. Practical experts in farming and manufacturing were sent to these countries to teach the farmers and workers the simple and practical methods of farming and manufacturing. From the start these experts had to battle against those who would spend millions to purchase complicated machinery, tractors and the like for these people who yet had not had the advantage of simple tools.

However, it is evident now that these spenders have won out over those who would teach these people how to operate simple tools and machines.

This week Congressman James C. Davis warned that the Point Four Program had been turned into a "glorified W.P.A." He pointed out that the program had degenerated into a spending spree which is benefiting neither the average man in those countries nor the U. S. taxpayer.

It is high time that the State Department return to the original intent of the Point Four program—that of rendering technical assistance which the farmers and workers of those countries can understand. We urge Congressman Davis to continue to expose the present program for what it is.

and we believe that his people will see to it that he is put there.

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The objection was to some of the editing. Words, it seems, have been taken from Foster's mouth by the publishers and new words inserted therein.

For example, as Foster wrote it, **Old Folks At Home** begins, "Oh, darkies, how my heart grows weary. . ."

In the new book, the line appears, "Oh, brothers, how my heart grows weary. . ."

This obviously is another instance in which the publishers have bowed to the desires of pressure groups and cliques. The general idea seems to be, "If it offends anyone, take it out."

And that general idea, spreading throughout our literature, movies, television and other media, will finally produce stuff in which nothing at all, including truth, has been left in.

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NOTICE!

Office of The Commercial Benefit Insurance Company presently known as Trans-Pacific Insurance Company at Phoenix, Arizona March 8, 1955.

THIS IS TO NOTIFY THE PUBLIC That The Commercial Benefit Insurance Company presently known as Trans-Pacific Insurance Company, of Phoenix, Arizona, has withdrawn from the business of Health and Accident insurance in the State of Georgia.

The said company has reinsured with National Bankers Life Insurance Company of Dallas, Texas, and Sovereign States Insurance Company of Nashville, Tennessee, all policies issued by it in the State of Georgia, and has satisfied and paid all losses and claims of its policyholders therein, and on the 15th day of May, 1955, will make application to Hon. Zack D. Cravey, Insurance Commissioner of the State of Georgia, for leave to withdraw from the State Treasury the bonds deposited by the above-named company in the said Treasury as a guarantee fund for the protection of Georgia policyholders.

TRANS-PACIFIC INSURANCE COMPANY,
formerly
THE COMMERCIAL BENEFIT INSURANCE COMPANY
By Mark Goode, President.

Ben Huiet Retires After 38 Years Service In Guard

On March 31st Ben T. Huiet was promoted to the rank of brigadier general, then retired from the National Guard after 38 years of service.

"I think joining the Guard was one of the best things I ever did," General Huiet said. "I'd sign up again if I had my life to live over again."

In recent years General Huiet had commanded the selective service section, Headquarters and Headquarters Detachment of the Georgia National Guard.

Upon his retirement his fellow officers presented him with two gifts: a plaque commending his faithful service to the Guard, and a pair of golf cuff links. Each cuff link was engraved with a star denoting General Huiet's rank.

Annual Report Lists Research In Agriculture

Searching in test plots and laboratories for better adapted varieties of crops that will give farmers higher yields, and for better control of plant and animal diseases and insect pests, staff members of the University of Georgia College of Agriculture Experiment Stations carried on 281 research projects last year.

In addition to the research in plant breeding and cultivation and disease and insect control were projects in farm management, marketing, farm machinery and equipment, animal nutrition, crop storage, food processing and many other specialized subjects.

The scope and extent of these projects in the brief form of number, title and location were recently published as the 1954 Annual Report, University of Georgia College of Agriculture Experiment Stations.

Entitled, "Serving Georgia Through Research," copies of this report are now on file in public libraries and those of other research stations over the land and in the offices of county agents and other agricultural leaders. Other copies, one to a person, are free upon request. The address is: Dr. F. F. Cowart, Resident Director, Georgia Experiment Station, Experiment, Ga.

The report also includes a list of the results of completed projects published as bulletins and circulars for distribution. Fifteen bulletins and five circulars were issued by the three primary stations last year. Preliminary results of projects still in process were reported in the more than 40 mimeographed papers and numerous journal and newspaper articles.

An introductory statement by Dean and Director C. C. Murray and Associate Director George H. King points out that the three primary stations at Experiment, Tifton and Athens, together with four branch stations, four field stations, and two cooperating USDA stations, serve every major soil type area and every major farming area in the state.

The report also contains a roster of experiment station personnel.

Ga.'s Commercial Slaughtering Cops 2nd In the South

Georgia opened its 1955 commercial slaughter business by standing second in the South in January in number of cattle and hogs slaughtered, according to the Atlanta field office of the U. S. Department of Commerce.

During the month 39,000 beef cattle were slaughtered and 155,000 hogs, which were exceeded only in Texas.

The figures were compiled by the U. S. Department of Agriculture. They showed that the total of 206,200 cattle, calves, and hogs sent to slaughter in the state weighed 61,765,000 pounds.

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HELEN PARRIS, *popular radio star of* WAGA *says, "Every woman knows light Karo is best for cooking . . . and on the table—it's*

dark Karo for me, the best-tasting eating syrup of 'em all"

Yes, indeed...biscuits go like hot cakes when you pour on plenty of delicious dark Karo... there's nothing like it for good eating. Satisfyin' flavor. So rich it stands right up on top of biscuits (keeps 'em light and fluffy). Keep Karo on your table morning, noon and night ...it tops anything!

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APRIL
MAY
JUNE

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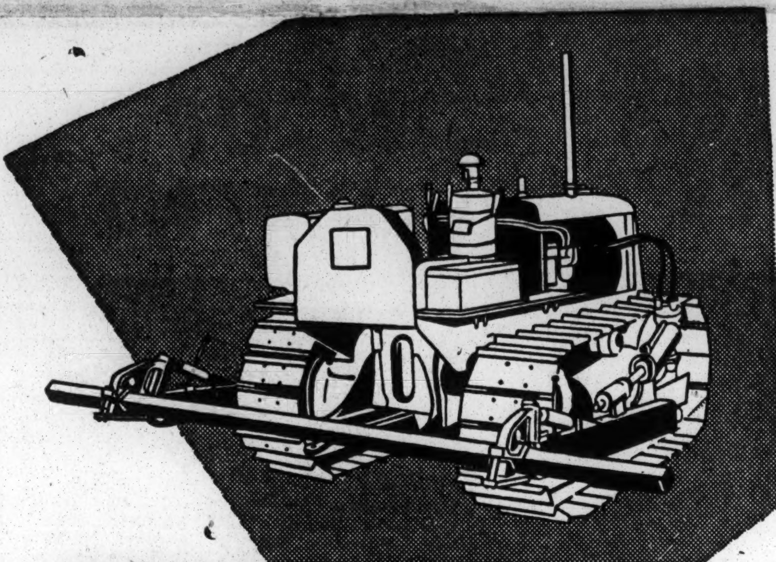

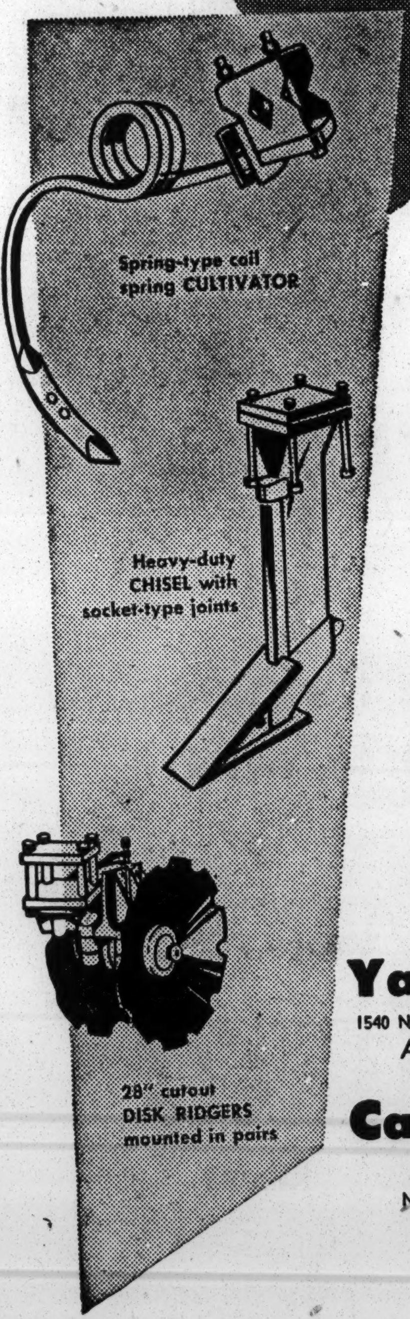
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At W. Bay Street

The report also includes a list of the results of completed projects published as bulletins and circulars for distribution. Fifteen bulletins and five circulars were issued by the three primary stations last year. Preliminary results of projects still in process were reported in the more than 40 mimeographed papers and numerous journal and newspaper articles.

An introductory statement by Dean and Director C. C. Murray and Associate Director George H. King points out that the three primary stations at Experiment, Tifton and Athens, together with four branch stations, four field stations, and two cooperating USDA stations, serve every major soil type area and every major farming area in the state.

The report also contains a roster of experiment station personnel.

Talmadge Speaks

Herman Talmadge will be in Augusta on April 26 to address the brotherhood of the First Baptist Church.

On April 27 Talmadge will be in Charleston, S. C., to speak to a 'Bond for Israel' group.

At 8 p. m. on April 28 the governor will speak to the P.T.A. at McDonough, Georgia.

ON THE

World's Most Famous Beach

DAYTONA BEACH

In a gay, holiday mood? Then you will be interested in this exciting vacation spot for overnight, a week or longer . . . The Caribbean Court directly on the world's most famous beach . . . Daytona Beach . . . Here you can ride in your car on the beach, swim in the ocean at your front door, but most of all, you'll have never-ending holiday pleasure. Send for your free folder and rates on the hotel rooms . . . efficiencies and apartments that are completely equipped with all-electric kitchenettes.

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Living Costs Up 100% yet our

LOAN COSTS ARE DOWN 50%

Year	Assets	Effective Interest Rates
1927	$ 5,000	8 to 12%
1934	65,000	8 to 9%
1941	1,700,000	4 to 8%
1955	23,000,000	4½ to 6½%

No fines or forfeitures. Rates based on monthly reduced balances. Payments less than rent.

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Ask your grocer for DARK Karo, in pint and quart bottles

APRIL
MAY
JUNE
1955 BETTER HOME TOWN PROGRAM

IT'S HALF-PAST APRIL...

... and that means it's time to swing into Spring action on the 1955 Better Home Town Program.

This is the time of year when folks feel the urge to Clean-Up, Paint-Up, Fix-Up . . . when plans should be laid for the summer tourist traffic to and through your town . . . when the school term is drawing to a close and your youngsters will have time on their hands for planned recreation. In short, this is a wonderful time of year to take a fresh, new look at *all* your Better Home Town goals—goals which combine to produce the beneficial results Georgians have come to expect from this community improvement effort we call the Better Home Town Program.

TO HELP YOU PLAN YOUR PROGRESS

The complete 1955 Better Home Town manual, prepared by Georgia Power to aid you, is ready now! Contact the Georgia Power area development representative serving your community through your nearest Georgia Power store for suggestions on the Program and for a copy of the manual.

GEORGIA POWER
AREA DEVELOPMENT DIVISION

Georgians Won't Accept Mixed Schools Cook Writes Editor

(Continued from Page 1)

whether its meaning should be imposed upon the people instanter or at some future date is solely the prerogative of the people through their duly elected representatives in Congress. Constitutional lawyers are unable to find any precedent in which the U. S. Supreme Court said to the President of the United States and to Congress that an amendment to the Federal Constitution could not be enforced until a given date. Congress, however, has the right to implement amendments to the Constitution even though they may be self-executing because the Constitution is the written expression of the people and its implementation is exclusively that of the U. S. Congress.

"Had I officially appeared with a plea to the Court that because of the peculiar conditions in Georgia prevailing at the present time the Court should postpone the enforcement of this decision indefinitely or allow time for orderly adjustment, I would have necessarily officially conceded the right of that Court to usurp the prerogative of Congress and the people.

"General Counsel for NAACP, Thurgood Marshall, stated to the Court yesterday that its decision should be enforced forthwith because the Court was without authority to postpone it. In this I concur with Mr. Marshall. According to a report I received from two of my Assistants who are there observing incognito, no member of the bench disputed Mr. Marshall's charge. At least, they did not take exception to what he said.

"It is my firm belief that the Court's decision in the segregation issue and its disgraceful effort to implement it will be a matter against which constitutional lawyers of the United States will rebel for the next generation, and I am sincerely expecting some of our ablest constitutional lawyers to finally convince the Court of its error by the use of public indignation and congressional effort in a manner that will place upon the bench constitutional lawyers and not pseudo lawyer politicians. No one who shares my view holds out any hope for this much-desired accomplishment under the reign of the Court as it is presently constituted.

"Georgia now stands well to circumvent the Court's decision within the framework of both the Federal and State Constitutions without having committed itself either morally or legally. Moreover, I as Attorney General, am free to carry out the mandates of the legislature and the people through the orderly processes of defending the State constitutional provisions and statutes designed to accomplish this purpose.

"According to press reports this week, the United States Solicitor demanded of the Court that it forthwith declare all State legislation and constitutional amendments designed to circumvent its decision to be in violation of the Federal Constitution. Should the Court do this, it would mean the complete destruction of Georgia's public school system until the people amended the State Constitution permitting the expenditure of State tax funds for mixed schools. Presently we are without authority under our Constitution to levy taxes for the support of mixed schools.

"Under such circumstances, it is obvious that my position would be untenable had I assisted the Court in writing a decree to bring this about.

"I might point out to you that the Governor and Attorney General of South Carolina refused to appear in the first instance in defense of their suit against Clarendon County on behalf of the State of South Carolina, and likewise refused to appear at the implementation arguments. Their position is identical to ours and, as Governor Byrnes put it to me, 'I shall not bind myself nor my people to submission to the Court's decision by participating in an unholy decree that will not during my lifetime be respected by either the negro or white man in my State.'

"When Governor Talmadge and I received news of the Court's decision May 17, 1954, we released the following extemporaneous statements to the press, without first having conferred:

"Governor Talmadge said: 'To appear would be like furnishing the Court with a knife with which to cut off our heads.'

"Almost simultaneously I made this observation for the press 'To officially appear as Attorney General would be like participating in the funeral ceremonies of the best friend the negro and white man ever had—segregation.'

"These unrehearsed sentences were purported to say all I have heretofore said in this letter.

"In closing, it is of extreme interest to note that in his first brief U. S. Attorney General Herbert Brownell, Jr., demanded that the Court enforce its decision forthwith, and that in his second brief twelve months later he completely reversed this position and begged the Court to proceed with caution, for fear enforcement would result in violence.

"This reversal of position by Mr. Brownell is an admission that the Court's decision and its enforcement may well destroy the very essence of the States' constitutional authority to exercise police power by the enactment of appropriate laws.

"The enactment of segregation laws contemplated the exercise of the States' constitutional authority to devise ways and means of preserving the peace and protecting the integrity, life and property of its individual and collective citizenry. History proves that this exercise of police power has completely served its purpose in the field of public education.

"Had I participated in the implementation arguments and assisted the Court in writing enforcement decrees, I know that I would stand convicted by my own personal conscience, should violence and bloodshed result from the Court's future action.

"Again, I want you to know that I appreciate your personal views respecting this matter, and I prayerfully hope that I have not made a mistake in my own decision."

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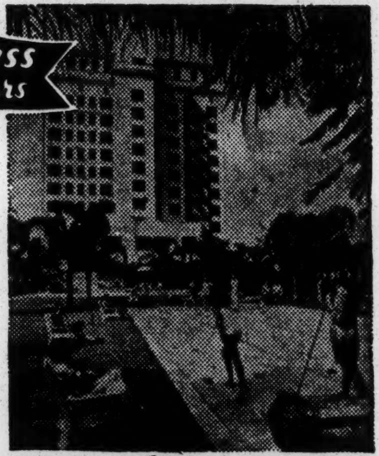

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Above Equipment Used One Season

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"General Counsel for NAACP, Thurgood Marshall, stated to the Court yesterday that its decision should be enforced forthwith because the Court was without authority to postpone it. In this I morally or legally. Moreover, I as Attorney General, am free to carry out the mandates of the legislature and the people through the orderly processes of defending the State constitutional provisions and statutes designed to accomplish this purpose.

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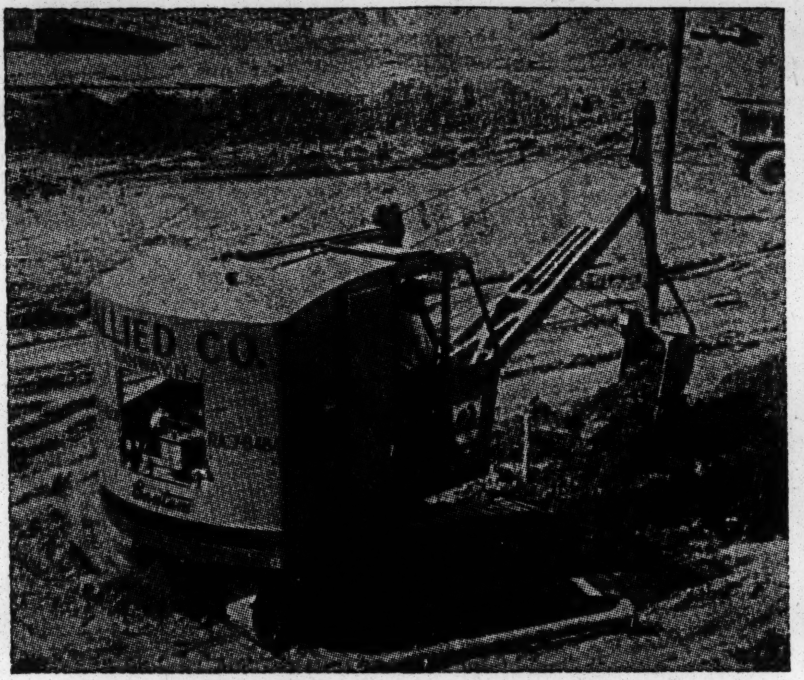
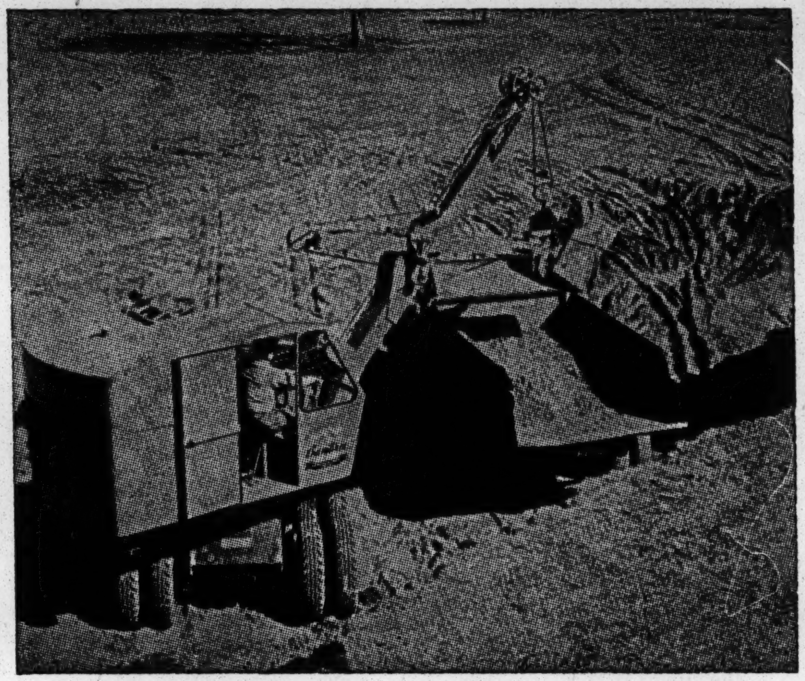


T-35 BACKHOE digs 100' at 5' trench per hr. . . . has fast-change hoist and backfill attachments for handling complete pipe or tank installations with same rig.



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